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Georg Wink¹

Introduction

After experimenting in Brazil for more than a decade with several affirmative action policies in a number of federal, state and even private universities, quotas based on social and racial criteria were finally declared mandatory through Federal Law (Bill nº 12.711, see Brasil 2012) at all federal universities. The law established reserved admission slots for students coming from public schools with – regionally specific, as dependent on the racial composition of each federal state – quotas for Afro-Brazilian and Amerindian candidates (for details of the implementation process and the current legislation, see Schwartzman & Paiva 2014). The arguments raised against the quite controversial implementation, especially with regard to the racial criterion (which almost led to a “culture war”, Bailey & Peria 2010), have been subject of detailed study by social scientists. However, the controversy over quotas must be understood in a broader context, as most of the common arguments were not limited solely to criticizing quotas in higher education. The same arguments were also invoked against any race-based affirmative action policies, such as quotas in public administration employment (Pena et al. 2016) or even the inclusion of the category “race or color” as information to be collected by the state bureaucracy when formally interacting with citizens, as well as other policy changes (for an overview about these new policies, see Htun 2004 and Paixão 2008b). At the centre of all this, was the promulgation of the Statute of Racial Equality (*Estatuto da Igualdade Racial*), proposed by then Federal Deputy Paulo Paim in 2002, which became federal law in 2010 (Bill nº 12.288/10, see Brasil 2010). However, it was the quotas for access to higher education that sparked the polemical debate and have had the strongest impact on public opinion. For this reason, this paper will focus specifically on higher education quotas.

The opposition arguments against quotas in higher education in Brazil have appeared in several scientific (and pseudo-scientific) publications, countless contributions in mass media and even in two manifestos. Their arguments have been thoroughly examined by scholars (e.g., Guimarães 1997 and 1999, Feres Júnior & Zoninsein 2008, Feres Júnior 2010), who concluded that the arguments lacked logical consistency, that they contained theoretical and methodological flaws, or that they lacked any empirical evidence. In addition, we now have large-scale empirical studies of the impact of quotas. With more than 16 years of practical experience in affirmative action policies at public universities (and even longer, if we consider the pioneering

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program at the Pontifical Catholic University of Rio de Janeiro, see Salvador 2011), the initial assertions about the supposed negative effects, such as poorer average performance of quota students or increasing racial conflicts between them and “regular” students, have been broadly refuted in case studies (Paiva 2004, Brandão 2007, Cardoso 2008, Velloso 2009, Paiva 2010, Cicalo 2012, Francis & Tannuri-Pianto 2012, Mendes et al. 2016) and in national comparative studies (Feres Júnior & Zoninsein 2006, Heringer & Ferreira 2009, Paiva 2013, Daflon et al. 2013, Feres Júnior & Daflon 2014). In particular, the constant evaluation work executed by the multidisciplinary research group GEEMA (*Grupo de Estudos Multidisciplinares da Ação Afirmativa*) at the State University of Rio de Janeiro concluded that there is no basis for the supposed negative effects of quotas (for their most recent evaluation, see Eurístenes et al. 2016). With regard to the currently demonstrated impact, these can be summarized in the following quote:

The analyzed data indicates that higher education has not attracted proportionally more young people than before, even though the conjuncture has been favorable [...]. Between 1993 and 2011, the increase was only 1.2%. However, doing the analysis by colour and income groups, the year 2000 signals major access of disadvantaged groups, namely black and poor. This does not imply a brusque reduction of inequality in relation to these disadvantaged groups. Rather, the tendency is a very slow decline in inequalities. A fundamental insight was to have discovered that the opportunities to enter higher education are more unequally divided between black and white students.² (Picanço 2016: 126; all translations of quotes are mine, unless otherwise indicated)

If we consider the impact of the Quota Law alone, these modest results seem to fulfill the intended main objective of the policy, which is limited to providing a specific good (higher education) to members of a disadvantaged or discriminated group (candidates from public schools and Afro-Brazilians), and nothing more. However, in order to avoid misunderstandings, it is important to recognize that this particular policy has failed to significantly reduce social inequality in Brazilian society as a whole, precisely

² “Os dados analisados apontam que, apesar da conjuntura favorável [...], o ensino superior não tem atraído proporcionalmente mais os jovens do que antes. Entre 1993 e 2011 o aumento foi de apenas 1,2%. No entanto, analisando por grupos de cor e renda, os anos 2000 sinalizam para o maior acesso dos grupos em desvantagem, negros e mais pobres, o que não implica em uma queda brusca da desigualdade em relação aos grupos em vantagem. A tendência é uma queda muito lenta das desigualdades. Foi fundamental identificar que as oportunidades para avançar em direção à educação superior são mais desigualmente distribuídas entre brancos e negros.” Moreover, it has been argued that quotas still cannot guarantee a fair distribution of the reserved spots (see Medeiros et al. 2016).

due to the fact that very few Brazilians have the opportunity to start a higher education and even less so to study at federal universities:

Yet, when taking into account that in 2013 only about 1.1 million of all 7.3 million undergraduate students in Brazil were enrolled at federal institutions (INEP 2014), and when also considering that Blacks and Indigenous represent about 51 and 0.5 percent respectively of the whole Brazilian population, then it is clear that the federal quotas program, if fully implemented, will only distribute approximately 283,000 university places according to racial/ethnic criteria. Therefore, the program, because of its design, benefits a very small group among the more than 100 million Blacks and 800,000 Indigenous living in Brazil, producing only minimal socio-economic aggregate effects. Of course, this fact does not delegitimize the program because it has an obvious relevance for setting the imperative of overcoming racism in the core of Brazil's political agenda. Nevertheless, its impact for promoting socio-economic redistribution in favor of the black or indigenous population as a whole is marginal. (Costa 2015a: 8, see also Costa 2015b).

We can conclude from this that racial quotas did not degrade higher education in Brazil, but they did not significantly improve the socio-economic position of racially discriminated Brazilians generally. However, the quota policy did manage to diversify the reality of federal universities and added symbolic value to the importance of public policies against racism in Brazil.

This last point is decisive for the need to take a closer look at the rhetorical strategies and devices used by the opponents of racial quotas. It should be stressed that these long-disproved arguments have remained practically unchanged through more than a decade of debate (Feres Júnior & Campos 2013: 117). Apparently, something more is at stake than just diverging expectations about the outcome of affirmative action policies. Indeed, these policies might even have less public approval than one could expect from the above-mentioned outcome evaluations. While the positive results seem to have convinced most of the academic community and even parts of the mass media – for example the cover of the magazine *IstoÉ* on the 10th of April 2013, which exposed the title "Success of Quotas" (*As cotas deram certo*) –, the anti-quota argument (or narrative) still appears to survive unaffected by the "hard facts", if not in the academic debate, at least in public opinion. Although surveys repeatedly have shown that around half of interviewees in public opinion surveys generally agree with the implementation of racial quotas (e.g., IBOPE 2013 informs 62% of agreement, Hello Research 2016 informs 42%), this is still far from constituting a new consensus among the whole population, notably (but not exclusively) in the

center-right of the political spectrum. A survey during the June 2013 protests (the first manifestation of anti-government and anti-politics mass protests) found that 65% of respondents opposed racial quotas (Telles 2015: 8). And in a more recent survey among those supporting the "impeachment" of president Dilma Rousseff (or indeed a parliamentary coup to adjust the result of the Presidential elections in 2014), 75% were in favour of eliminating racial quotas (Solano et al. 2017). In 2016, the new *de facto* government (presided by former Vice-President Michel Temer), initially composed exclusively of white, male politicians, expressed their disdain for affirmative action policies. Even though quota programs have so far not been officially dismissed, a shift of priority was signalled by immediately distancing, through the Provisional Measure 726, the already fused Ministry on Women, Racial Equality, and Human Rights (*Ministério das Mulheres, da Igualdade Racial e dos Direitos Humanos*) and subordinating these offices under the Ministry of Justice. Admittedly recreated in the form of a Ministry of Human Rights in February 2017, inadequate budget and intentionally unfilled positions have undermined efficient functionality of this body, especially when compared to the former path-breaking Secretariat for Policies to Promote Racial Equality (*Secretaria Especial de Políticas de Promoção de Igualdade Racial – SEPPIR*) (SPD 2017: 33). Radical macropolicies such as freezing public expenditures (*Emenda Constitucional 95*), including for higher education, are expected to affect affirmative action programs. Currently (i.e., October 2017) under discussion are severe cuts (through the Provisional Measure 785/17) in the student loan and grant programs (FIES/*Fundo de Financiamento Estudantil* and PROUNI/*Programa Universidade para Todos*), which both use quotas to benefit a higher proportion of socially and racially discriminated students.

Such measures justify revisiting the discourses against racial quotas, as their underlying *topoi* remain very much alive. Moreover, the temporary acceptance of affirmative action policies seems to be more a matter of a past favorable political conjuncture than a social and political learning process. Hence, my main research question is: Why are the arguments against racial quotas so powerful? In order to find out, we have to supplement the analysis of the arguments, which has largely been carried out by the above-mentioned scholars, and the very valuable studies about the representation of these arguments in print and mass media (Feres Júnior & Daflon 2009 and 2015, Feres Júnior et al. 2011, Campos et al. 2013, Campos 2014, Campos & Feres Júnior 2016), with an analysis of the discourses that produce these arguments. In other words, we have to move from "what and where do the opponents of quota argue" to "how do they argue". This kind of analysis goes beyond focusing on the mere enunciation, placement and repetition of an argument. What is needed is more interdisciplinary dialogue between sociolinguistics on one side, and empirical social research on the other, as well as a more thorough understanding of the potential of discourse analysis to acquire knowledge. Very few scholars have so far considered the discursive dimension as a relevant factor (Martins 2004, 2012; Goss 2009). Hence, I will

take the discursive studies of the anti-quota arguments as my starting point.³ My main hypotheses are that the persuasive power of prominent public discourses against racial quotas in Brazilian higher education derives from specific rhetorical strategies and the way in which arguments are legitimated by traditional master-narratives of Brazilian national identity. Therefore, I begin by explaining the theory and method of my approach, then go on to present the arguments of anti-quota discourses. In the main part of this text, I analyze their rhetoric, and finish by demonstrating their connection with what I call the "Brazilian master-narrative". Concluding on this will give a better perspective on the power of anti-quota arguments.

Theoretical and methodological frameworks behind the discursive approach

In order to capture more of the discursive power of anti-quota arguments, appropriate models and tools can be found within the field of Critical Discourse Analysis (CDA), developed by researchers (and research groups) led by Teun A. van Dijk, Norman Fairclough, Jürgen Link, Ruth Wodak and Siegfried Jäger. The most useful approach to answer my specific research question⁴ lies in the model developed by the Duisburg Institute for Linguistics and Social Research (*Duisburger Institut für Sprach- und Sozialforschung*), which since the 1980s has been working extensively on media and political discourses, with special attention to issues of xenophobia, racism, right-wing extremism, social marginalization and biopolitics, and which has produced a number of useful studies (see Jäger 2009). Briefly speaking, this particular approach incorporates several key concepts of Michel Foucault's discourse theory, which is based on the premise that discourses do not simply reflect reality, but determine reality and indeed constitute material realities themselves. This creative power of discourse is reflected in the objectives of a) identifying the knowledge (valid at a certain place and at a certain time as a *régime de la vérité*, see Foucault 1975 and 2001, hereinafter referred to as "truth"), which is produced, regulated and affirmed by discourses (conveyed via the media, everyday communication, institutions, etc.); b) exploring its function for the shaping of society (thus exercising power); and c) subjecting these discourses and their underlying strategies to critique.⁵ Or in the research group's own synthesis (Jäger & Maier 2009: 39):

³ Additional studies are aware of the discursive dimension, but they do not effectively apply methods of discourse analysis in a thorough fashion (see for example Guimarães 2005 and Pereira 2008).

⁴ For example, my research question is not going so far to contemplate the sociocognitive aspect of individual reception, as van Dijk does in his academic production of CDA; neither does it require any insights on how language functions systemically, which is an essential concern of Fairclough in all his research.

⁵ When conducting such an analysis, one must be aware that the critique is itself not based on any "truth" (as orthodox Marxist "ideology critique"), but represents a position which is also the result of a discursive process. Moreover, the term "strategy" should be understood in the sense of Bourdieu, as directed, but not necessarily calculated and instrumentalist, i.e., as a sometimes automatized expression of the agent's unconscious relationship between habitus and the rules of the field. This means that the use of discursive strategies is not necessarily objectively oriented towards "manipulation", but can also be based on the belief on manifesting a "truth".

Discourses exert power because they transport knowledge on which collective and individual consciousness feeds. This knowledge is the basis for individual and collective, discursive and non-discursive action, which in turn shapes reality.

While the concept of discourse and the theoretical basis is strongly inspired by Foucault, CDA methodology acknowledges the complexity of discourses: they are intertwined and entangled, they are in constant motion, and they create certain genealogies. Often, they produce coherence and plausibility through persuasive collective symbols such as cultural stereotypes or *topoi*, which are stored in collective memory (see Foucault 1969 and Link 1982). These collective symbols are frequently activated as *catachresis*, the arbitrary connection of a complex issue with a simple and coherent, yet thematically unrelated image in the sense of Link, which reinforce the power of discourse. To operationalize the analysis in CDA, several layers must be identified. Following Jäger & Maier (2009), these are:

- *discourse strands*, thematically linked synchronic and diachronic discourse processes (as in the present case, the opposition to racial quota in higher education in Brazil”);
- *discourse fragments*, texts or parts of a text which deal with a certain theme and when brought together constitute discourse strands (as in the corpus of this article, which is composed of newspaper articles, books or public speeches);
- *discursive entanglements*, when a text addresses various themes or refers to various strands (such as “opposition to racial quota” and a positive representation of “Brazil”; even if only occasionally, in this case called *discursive knots*);
- *discursive events*, occurrences which exert influence on a discursive strand because of the constellations of the power-related *discursive context*, which determines political and media promotion or silencing (as in the case of the event “discriminatory treatment of identical twins by the quota program at the University of Brasília”);
- *discourse planes*, the societal locations from which discursive strands operate (like “politics”, “science”, “business”, which can again be packaged in quite different text formats, such as “manifesto” or “constitutional challenge”);
- and finally, the *discourse position*, the ideological stance, which can differ from the proclaimed standpoint and is revealed only as a result of a fully realized CDA.

In order to conduct a basic CDA (for details of a complete investigation, see Jäger 2009), a sequence of steps must be taken and will be illustrated by the procedure I employ in this paper.

The first step is the localization of the object to be investigated, focusing on a discursive strand (in my case the prominent discourses opposing race-based quotas in higher education in Brazil, which over the last decade have constructed a discursive formation that is still available as a frame of for any objection against race-based affirmative action practiced today). This discursive formation includes a necessary definition of the synchronic and/or diachronic range (which here encompasses the period from the beginning of the debate in the mid-1990s to the enactment of the Quota Law in 2012).

The second step is a selection of one or more discursive planes (in my study all voices, being scientific, journalistic, juridical and political, which had an impact on the public debate, this impact being deduced from the afore-mentioned previous studies).

The third step is carrying out a structure and content analysis, providing a summary of themes addressed, allocating them to thematic areas, evaluating their presentation, timing and frequency, as well as examining their embeddedness in institutional framework(s) and societal context(s) (again, this has been largely done by the above-mentioned scholars, so that their results allow for a clustering of the arguments for my purpose).

The fourth and last step is carrying out a detailed analysis of representative discourse fragments. This means processing the data⁶ with regard to rhetorical strategies and devices (e.g., argumentation strategies, logic and composition, implications and insinuations, collective symbolism, stereotypes and metaphors, vocabulary and style, pronominal style, references, etc.). To execute this analysis, I will draw on tools provided by Ruth Wodak's research group on CDA at the universities of Vienna and Lancaster (see Wodak et al. 1999 and 2001, Wodak 2013). This methodology allows us to identify several groups of general discursive strategies with regard to their objectives, their micro-strategies and linguistic means:⁷

- "Strategies of justification and relativisation" like shift of blame and responsibility (through heteronomisation, scapegoating, victim-perpetrator inversion), downplaying and trivialisation (through negative sameness, "yes, but..." figures, *locus a minore*, topos of the small number), agent deletion (through passive voice, euphemisms), legitimization/delegitimation (through appeal to authority/invocation, *argumentum ad verecundiam*);

⁶ A CDA is representative (or complete), when it reveals no further contents and formally new findings (Jäger & Maier 2009: 51). This differs from quantitative empirical research, where practice shows that the completeness of results often occurs quite soon. The reason may be the limitations of the field of "what can be said" and the recurrence of *topoi*.

⁷ The technical terms, if not of common knowledge, will be explained when applied to the corpus.

- "Strategies of construction", such as assimilation, inclusion, continuation, singularisation (*locus amoenus, miranda*), autonomisation, cohesion-building, (*argumentum ad baculum*), dissimilation, exclusion, discontinuation ("Othering", *locus terribilis, antimiranda*);
- "Strategies of perpetuation", such as positive self-presentation, portrayal in Black and White (Manichaeism), continuation (logic sequence), defense (disaster topos, Cassandra strategy), avoidance (referential vagueness);
- "Strategies of transformation", such as heteronomisation, discontinuation (*locus a tempore*); and
- "Strategies of dismantling and destruction", such as discrediting opponents (*ad hominem* defamation, *argumentum ad verecundiam*), negative presentation, Cassandra-strategy, disaster topos (see Wodak et al. 1999: 79–93).

Most of these strategies reveal schemes of argumentation or *formulae* that are achieved through classical rhetorical devices, which include hundreds of figures of speech from *accumulatio* to *zeugma*. However, some of these devices are used more frequently, such as anecdote, fictitious scenario, comparison, analogy, *locus a nominis interpretation*, synecdochisation, metonymy, emphasis, hyperbole, allusions, insinuations, rhetorical questions, personification, anthropomorphism, and especially the highly ambiguous pronoun "we" (which can be a partial or total receiver or sender-inclusive or exclusive). These varied tools from several methodologies allow for an almost complete analysis of the corpus. Thus, after describing the discourse fragments related to the discursive strand "opposition to racial quota" during the established examination period, and after revisiting the State of the Art of structure, content and context analysis (which will be summarized in the next section), I selected as the most representative fragments those which consolidate the entire discursive strand with its entanglements. This resulted in the following texts for analysis:

The two manifestos against quotas, which can be understood as "calls to action": the first, "All have equal rights in the Democratic Republic" (*Todos têm direitos iguais na República Democrática*), was presented on 29th of June 2006 to the Congress and opened the polemical phase of the debate; the second, "103 anti-racist citizens against racial laws" (*Cento e treze cidadãos anti-racistas contra as leis raciais*), was presented on 30th of April 2008 to the judges of the Federal Supreme Court. Both are pamphlets, with a strong appellative function, speaking from the discourse plane of "intellectuals giving a warning" and referring to concrete discursive events: the first manifesto is a reaction to the bills under consideration with regard to "quotas" and a "Statute of Racial Equality"; the second refers to the Direct Actions of Unconstitutionality, presented to the Federal Supreme Court against racial quotas at the state universities of Rio de Janeiro and against the racial selection criteria of the federal grant program (PROUNI).

The strongest impact on the intellectual debate was the edited volume "Dangerous Divisions: Racial Policies in Contemporary Brazil" (*Divisões perigosas: políticas raciais no Brasil contemporâneo*; Fry et al. 2007), which contains 46 essays against racial quotas at universities, many of them previously published in the mass media. The significance of this collection of texts stems from the seriousness and detail of most of the arguments and the presence of mainly academics, who act as spokespersons of the discursive plane "science".

Finally, in order to include a broader range of voices (and rhetorical strategies in oral speech), I have paid special attention to the Stenographic Records (*Notas Taquigráficas da Audiência Pública*) of the Public Hearing at the Federal Supreme Court in 2010, held from the 3rd to 5th of March 2010 to discuss the Claim of Non-Compliance with a Fundamental Precept 186 (*Arguição de Descumprimento de Preceito Fundamental – ADPF 186*), presented in 2009 by the party *Democratas* through their lawyer Roberta Kaufman. During this event, 41 invited representatives of society⁸ were given the opportunity to deliver a statement of 15 minutes about the case. Therefore, the text includes a broad spectrum of conceivable discursive planes. Moreover, this was literally the last chance to object to racial quotas; therefore, the fragment can be considered the most complete and expressive collection of arguments, even though no particularly new points were presented.

These various fragments have been subject of prior structural and content analysis (Bailey & Peria 2010 on the manifestos, Feres Júnior 2010 on *Divisões Perigosas*, Feres Júnior et al. 2010 on the ADPF 186 and therefore indirectly on the Stenographic Records, as these include all arguments presented in the Claim), thus allowing me to simply summarize their findings and then concentrate on the final step of the analysis.

Structural, content and context analysis: the arguments against racial quotas

One of the first scholars to systematically analyze the arguments against race- based quotas was Antônio Sérgio Alfredo Guimarães, which took place in his 1997 article "A desigualdade que anula a desigualdade. Notas sobre a ação afirmativa no Brasil". Guimarães identified three "fallacies" that he argued were the driving background assumptions in the later debate: first, that affirmative action policies would destroy the principle of merit; second that it would be sufficient to reduce social inequalities in order to also reduce racial discrimination; third, that for historical reasons, it would be impossible to define blackness in a Brazilian context, making quotas unfeasible. Paixão

⁸ These invited representatives, besides accuser and defendant (the party "Democrats" and the University of Brasília), comprised representatives of the judiciary (prosecutors, officials from the above mentioned SEPPIR), representatives of the State and Federal Agencies (MEC, FUNAI, IPEA, *Fundação Palmares*), representatives of civil society and social movements (AFROBRAS, EDUCAFRO, *Instituto da Mulher Negra de São Paulo*, *Movimento Negro Socialista*), universities and their representation bodies (UNE, *Coordenação Nacional de Entidades Negras*), and finally, renowned scientists, who had prominently participated in the earlier debate (five each to argue for and against the constitutionality).

(2013) examined the academic discourse (and to some degree books written by journalists) arguing against quotas and identified several argumentation schemes and their ideological basis on which, for these authors, any racial affirmative action should be rejected: the liberal concept of juridical equality of the individual;

- the original Brazilian myths of racial democracy and "enchanted modernity";
- national-developmentism, which presumes populational homogeneity;
- functionalism, which explains inequality only through social structures;
- colour-blind Marxism as in the Brazilian reception;
- genetics, which falsified the existence of significant racial differences (in the biological sense) among the Brazilian population.

At the same time, the GEMAA added a study (Feres Júnior 2010) on the above-mentioned significant publication *Divisões Perigosas*. The analysis of this book identified 26 arguments, 12 of which were used frequently. All these studies still operate with a corpus of academic or popular science writing. Later on (Feres Júnior & Campos 2013), the research group worked with another, much broader corpus to identify the principle arguments against quotas in the print media since 2001 (articles from the newspapers *Folha de S. Paulo*, *Globo*, *Estado de S. Paulo*, *Estado de Minas*, *Correio Braziliense*, as well as the weekly magazines *Veja* and *IstoÉ*), which raised the number of arguments to 41. Firstly, the researchers classified the frequency of these arguments, and secondly they discussed and refuted them (where possible, as some of the identified assertions were speculative, having no evidence either in favor or against them).

Based on this ample previous research, we can establish a cluster scheme of the arguments against racial quotas, and I have thereby simplified and reorganized these for the purpose of further analysis. The clusters are as follows.

The first cluster can be defined as referring to "Race and National Identity". Here the arguments pointed to the danger of a "racialization" of the Brazilian society, advancing the premise that asymmetric social relations cannot be explained through "racism" (the atavistic presumption that race and poverty are not correlated was falsified soon by pointing to the overwhelming evidence, provided by studies since the 1950s, and therefore explicitly defended only at the beginning of the debate). Race-based affirmative action policies would therefore make racism officially legitimate by presuming the existence of "races". Obviously, this argument refers to another concept of "race", which is biological and not social, and with a certain stubbornness, the opponents of quotas insisted on this distortion during most of the debate, despite better knowledge (Petrucelli 2010). Moreover, racial quotas were criticized as imposing a binary system of identity ("black against white"), imported from the United States, which is inadequate to operate in the Brazilian context, where the long

history of miscegenation has made race classifications impossible; consequently, the concept of distinct races must be rejected in so far as it is to form the basis of any public policy (Costa 2001). Objections to this argument that race was inadequate as a category were that racial classifications actually operate to determine the societal hierarchization on a daily basis and, even more, that the ostracized binary system (between whites and non-whites, be they brown or black or anything between) already exists in socio-economic terms, as empirical studies have shown (see the contributions to Reichmann 1999; for an overview Telles 2004; for more recent data see Paixão 2005, Paixão & Carvano 2008 and Paixão et al. 2010). The objection that racial classification is but a simple imperialist or neocolonial imposition of “foreign ideas” is far from the reality shown by longstanding critical comparative studies, which created full awareness of the differences of the two national contexts of Brazil and the United States and allowed for giving new, inherently Brazilian meaning to the concept of race (Schwartzman & Silva 2012, Telles 2003). With regard to miscegenation, surveys (and even social psychology experiments) have shown that in Brazil discrimination follows racist phenotypic criteria (the more “African-like”, the more pronounced level of discrimination), even if the historical socio-demographic dynamics might have been different than in the United States (Petrucelli 2007, Bailey 2009, Daflon 2014). Finally, the consequences of any affirmative action program that would ostensibly exacerbate racial conflict, due to resentments among whites and intolerance among blacks, was expressed as an understanding that after all, hidden racism is better for all than open racism (which has not been proven so far by any empirical evidence). Added to this is that quotas could cause a crisis of national identity, due to the betrayal of the Brazilian tradition of miscegenation (which will be discussed at length later in this paper, as this argument entangles the discursive strand of quota to other narratives of “Brazil”).

The second cluster subsumes arguments about “State and citizenship”. The core argument here is that any affirmative action, racial or social, would represent a violation of legal equality as a principle of Republicanism, such that racial quotas would have to be considered unconstitutional. Furthermore, no mandate would justify any State intervention into social relations. This somehow normative argument was answered with reference to the Brazilian Constitution, which mandates in Art. 3 “I – to build a free, just and solidary society; [...] III – to eradicate poverty and substandard living conditions and to reduce social and regional inequalities; IV – to promote the well-being of all, without prejudice as to origin, race, sex, colour, age and any other forms of discrimination” (Brasil 1988)⁹. Moreover, even equal treatment turns out to be an intervention by the State, because, as Antonio Sérgio Guimarães (1997: 233) already observed at the beginning of the debate, “to treat persons who are actually

⁹ “I – construir uma sociedade livre, justa e solidária [...]; III – erradicar a pobreza e marginalização e reduzir as desigualdades sociais e regionais; IV – promover o bem de todos, sem preconceito de origem, raça, sexo, cor, idade e quaisquer outras formas de discriminação” [Official Translation, taken from <http://english.tse.jus.br/arquivos/federal-constitution>].

unequal as equal only amplifies the inequality between them”¹⁰. Much more concrete and specifically relevant for admission tests to higher education was the objection that any quota would prejudice and disrespect the principle of merit. This argument would certainly be true in a context where educational opportunities were being provided equally to all youth (which to my knowledge does not exist on this planet). However, this turns out to be a cynical rhetorical ploy in the Brazilian context (see Paixão 2008a), where financial means determine whether a child can attend a high standard private school and enroll in preparation courses for the university entrance exam (in other words, merit is taken for investment). Difficult to refute, as probably applicable to any relation between political agenda and lobbying of interest groups, is that political interest (say gaining votes) is behind these policies and as a result, the State was being captured by social movements. However, no evidence was ever provided to support the accusation that quotas were a delayed compensation payment for the effects of slavery – a pointless argument, as quotas target inequality of opportunities in the present, independent of a historical causality that might explain the current social position.

The third and last cluster encapsulates objections against “Proceedings and results of affirmative action”. Certainly desirable, but somehow escapist, is the argument that universal policies, such as investment in public schooling, would do better at reducing social inequalities (see my comment about the issue of “merit”). The very general argument that quotas turned out to be a fiasco in other countries, was probably influenced by the crude reception of the influential, yet controversial book *Affirmative Action Around the World* (Sowell 2004), without considering the peculiarities of the Brazilian case (which is not discussed in his book). Besides these very general assumptions, it was argued that these policies would lead to a loss of quality in education, at least as long as counter-evidence was not available. The alleged inefficiency of quotas in combatting racism is certainly true, if understood as a phenomenon of all social interaction, but this was not the objective of quotas when applied in the sector of higher education. More difficult to handle was the expected exclusion of poor whites through racial quotas, which, however, became obsolete with the combination of racial and social criteria (ignoring the stated major impact of race in comparison to social discrimination). Finally, there were the controversial fears that racial quotas would facilitate neoliberal policies by dividing the lower classes and even privileging and benefitting the black middle class. Positive discrimination could lead to or enforce stigmatization and victimization of blacks. As these effects can be ascertained only in the long run, there is no evidence to support these arguments, nor to refute them, at least not for the present moment.

¹⁰ “tratar pessoas, de fato, desiguais como iguais, somente amplia a desigualdade inicial entre eles”.

Critical Discourse Analysis: The rhetoric strategies against racial quota

Now familiar with the arguments, the next step is the announced analysis of rhetoric strategies and means. One could object that probably any discourse makes use of rhetorical devices. What, then, is the contribution of rhetorical analysis to understanding this discourse? One response is to find out about the quantity: Without having carried out an exhaustive quantification of the use of devices (for example: metaphors), the examination of the stenographic records during the public hearing at the Supreme Court (which included speakers both in favor of and opposed to racial quotas) clearly show a strong predominance of rhetorical devices in the latter. This indicates that discourses opposed to quotas make use of these devices to a considerably higher degree than those in favor. This confirms my original hypothesis that the persuasiveness of these discourses relies (or has to rely) more on rhetorical strategies than on the actual content of the arguments, which allows (following Jäger's theory, as explained above) arguments to "bridge" incoherence. Or rather in Foucaultian terms: the status quo ante, the absence of racial quota, is apparently a regime of truth under challenge and therefore needs to be strengthened using discursive defense tactics. Furthermore, it is important to elucidate these strategies in order to show their discursive entanglement with the strategies and *topoi* of what I consider to be a Brazilian national master-narrative of exceptionalism.

As mentioned in the introduction, there are only few studies on the rhetorical strategies used in the discourse against racial quotas. One valid starting point, however, is the finding, presented in Goss (2009), that these texts mirror the proposition of a "Rhetoric of Reaction", a concept coined by Hirschman (1991). According to him, we can find three historical principal reactive-reactionary theses that operate as frames for conservative narratives against change: First, the "perversity thesis", that any purposive action to improve some feature of political, social, or economic order serves only to exacerbate the condition one wishes to remedy". Second, the "futility thesis" argues that any attempts at social transformation will simply fail to make a difference, making any attempt to transform society into a predictable fiasco. Third, the "jeopardy thesis", which warns that the cost of the proposed change or reform is too high, as it endangers some previous precious accomplishments. Hirschman based this theory on his study of 200 years of reactionary rhetoric, focusing especially on English texts that had argued in opposition to the French Revolution, universal suffrage and the welfare state; all of these changes were understood as a threat to liberty and democracy. Yet it is astonishing how well this matches with the discourse against racial quotas in Brazil, if we look, for example, at the preface of *Divisões Perigosas*, written by the sociologist Bolívar Lamounier:

[The opposite side] understands that the process opened by the two projects [racial quotas and the Statute of Racial Equality] will be

innocuous or counterproductive with regard to inequalities and will have *summarily undesirable collateral effects* on the sociability and political conception of the Brazilian nation.¹¹ (Lamounier 2007: 9; my emphasis)

All three theses are present in these few lines: the perversity thesis in the expression "counterproductive", the futility argument in the word "innocuous", and the invocation of jeopardy in the warning of "summarily undesirable collateral effects". The similarity of the discourse against racial quotas to other instances of "Rhetoric of Reaction" corroborates the hypothesis that they serve above all to defend a regime of truth – a traditional and for a long period hegemonic national idea of Brazil – under challenge by societal and policy change. This is, of course, just a first impression, which will be explained further by the analysis of this last section. Due to the limits of the scope of this paper, I will select the most significant examples from the corpus. For the sake of reader-friendliness, the following abbreviations will be used in my analysis:

- **M1:** the first manifesto, "All have equal rights in the Democratic Republic" (*Todos têm direitos iguais na República Democrática*), from 29th of June 2006;
- **M2:** the second manifesto, "103 anti-racist citizens against racial laws" (*Cento e treze cidadãos anti-racistas contra as leis raciais*), from 30th of April 2008;
- **DP:** the edited volume "Dangerous Divisions: Racial Policies in Contemporary Brazil" (*Divisões perigosas: políticas raciais no Brasil contemporâneo*, Fry et al. 2007);
- **SR:** the Stenographic Records of the Public Hearing at the Federal Supreme Court in 2010, *Notas Taquigráficas da Audiência Pública: Arguição de Descumprimento de Preceito Fundamental 186, Recurso Extraordinário 597.285*.

Most of the rhetorical strategies can be categorized under the rubric of "Relativization". Given that the aim is to obstruct a policy change, the speech figures used most frequently are those which relativize and downplay affirmative action policies, as in the following quote taken from the first manifesto:

The defenders of these projects argue that racial quotas constitute a compensatory policy aimed at mitigating social inequalities. *The argument is known:* we have a slave past which restricted the population with African origins to precarious income levels and living conditions. Prejudice and discrimination contribute to the lack of change of this situation. As a result, there was a need for social policies to compensate those who had been discriminated against in the past, or who

¹¹ "[O lado contrário] entende que o caminho descortinado pelos dois projetos será *inócuo* ou *contraproducente* no que se refere às desigualdades e terá *efeitos colaterais sumamente indesejáveis* no que toca à sociabilidade e à concepção política da nação brasileira."

inherited disadvantaged situations. These policies, even though *recognized as flawed*, were justifiable because they would remedy a *major evil*.¹² (M1, emphasis added, here and in the following quotes)

The approval of the historical argument in favor of quotas is not a full concession, because it does not acknowledge the consequences. Rather, the argument is subtly historicized by stressing the alleged goal of compensation and by using a discontinuation strategy to distinguish the past from the present situation. Furthermore, the proponents of quotas are slightly delegitimized by asserting their lack of originality (“the argument is known”) and by underscoring their internal controversies about the policies (“recognized as flawed”), which risk substituting a “major evil” (tendentiously depicted as a problem of the past) with a lesser evil in the future, as it is implicitly stated. Shortly thereafter, the fragment is reinforced by the sentence “This analysis is neither realistic nor sustainable, and *we fear the possible consequences of racial quotas*”¹³ (M1). This utterance shows a Cassandra-strategy, which coincides with the pronouncement of the above-mentioned theses of perversity and jeopardy, as also in the following quote:

Policies directed at closed “racial” groups in the name of social justice do not eliminate racism and *can even themselves produce the contrary effect*, legitimizing the concept of race and allowing for the *aggravation of conflict* and intolerance.¹⁴ (M1)

Relativization is also a preferred means in DP, here in the words of the editor and retired anthropologist Peter Fry:

*We all know about the big and small cases of discrimination and humiliation which the darker and poorer inhabitants of Rio de Janeiro experience every day. We would all like to see the public universities increasingly multicoloured.*¹⁵ (DP 160)

¹² “Os defensores desses projetos argumentam que as cotas raciais constituem política compensatória voltada para amenizar as desigualdades sociais. *O argumento é conhecido*: temos um passado de escravidão que levou a população de origem africana a níveis de renda e condições de vida precárias. O preconceito e a discriminação contribuem para que esta situação pouco se altere. Em decorrência disso, haveria a necessidade de políticas sociais que *compensassem os que foram prejudicados no passado*, ou que herdaram situações desvantajosas. Essas políticas, ainda que *reconhecidamente imperfeitas*, se justificariam porque viriam a corrigir um mal maior.”

¹³ “Esta análise não é realista nem sustentável e *tememos as possíveis consequências* das cotas raciais”.

¹⁴ “Políticas dirigidas a grupos “raciais” estanques em nome da justiça social não eliminam o racismo e *podem até mesmo produzir o efeito contrário*, dando respaldo legal ao conceito de raça, e possibilitando o *acirramento do conflito* e da intolerância.”

¹⁵ “*Todos nós sabemos* das grandes e pequenas discriminações e humilhações que os cariocas mais escuros e mais pobres vivem cotidianamente. Todos nós gostaríamos de ver as universidades públicas *cada vez mais multicoloridas*.”

The classical *concessio*, besides again characterizing the policies as obsolete and inadequate (which corresponds to Hirschman's futility-thesis), introduces a typical "yes, but..." figure (a metonymical causal shift), because the whole statement is framed by the rejection of doing anything more about the problems mentioned. Similar in the use of strategies, but almost as a caricature because of its hyperbole, is the statement from the lawyer Roberta Kaufmann in the Stenographic Records:

We are definitely a very racist society. *However*, racism must be combatted in a supremely rigorous way, which is the case here in Brazil, based on severe laws which punish a racist person, and moreover, transforming racism into a no-bail and imprescriptible crime. This is also the case with regard to *other minority groups* who are subject to racism, prejudice and discrimination, and who are not necessarily also subject to State policies by means of quotas, such as the Northeasterners, the homosexuals, , the Jehovah's Witnesses, *the Hare Krishnas*; all the different minorities who are present in our society whose discrimination is not necessarily combatted by means of quotas.¹⁶ (SR 78)

The relativization works, besides concession and the "yes, but..." figure, through the intrepid abstraction from the difference between crime and structural disadvantage and through the arbitrary combination of several very different "minorities" together. The outcome of this remarkable synthesis is a *topos* of consequence ("to do justice, no quota for Afro-Brazilians without quota for Hare Krishnas"), which would invalidate the policy.

In sum, the inattentive reader of these examples must conclude that a problem of the past, which is under control, is invoked by radical measures of incompetent and disunited actors, which then somehow endangers the future.

Once more from the SR, a statement by George de Cerqueira Leite Zarur, also an anthropologist, again induces discontinuation, but also downplaying or even minimization, by arguing through a "story", a hypothetical family anecdote, with an intended humorous effect:

As a proud *mestiço*, I declare that I do not feel at all guilty of the fact that my maternal great-grandmother with a clearer skin might have

¹⁶ "Somos, sim, uma sociedade muito racista. Porém o racismo deve ser exemplarmente combatido, como de fato o é aqui no Brasil, a partir de leis severas que punem a pessoa racista, inclusive transformando o racismo como prática de crime inafiançável e imprescritível, tal qual é também em relação a *outras minorias* que são objeto de racismo, de preconceito e de discriminação e que não necessariamente são objeto de uma política estatal por meio de cotas, como, por exemplo, o nordestino, os homossexuais, os testemunhos de Jeová, os *Hare Krishnas*, as diversas minorias presentes em nossa sociedade em que não necessariamente sera combatida a discriminação por meio de políticas de cotas."

perhaps mistreated my other great-grandmother with a darker skin – *the opposite may also have occurred*. Furthermore, no one can be considered guilty for alleged crimes committed by his ancestors.¹⁷ (SR 177)

However, there is a new aspect here, which is the emphasis on negative sameness ("both sides are somehow guilty"). This strong collective symbol, used frequently to trivialize violence against a weaker party, is of course especially efficient if voiced by a member of the victim group ("*mestiços*"), as it grants a personal legitimacy to the argument. A similar relativizing comparison, this time by suggesting positive sameness, was given by the historian Francisco Carlos Palomanes Martinho. It employs some historical facts blended with fictitious elements:

What about the Portuguese, Spanish and Italians who migrated to Brazil in the second half of the 19th century and were *treated here with the same violence* used for Africans and their descendants? For the majority of them and despite the *intense social mobility* in Brazil, they remained poor and lived in unhealthy conditions in *neighbourhoods inhabited by "Blacks"*. *With these they lived, married and had children*.¹⁸ (DP 180)

As this demographic construction would include the ancestors of most aspirants for university places in Brazil (barring only a few with exclusively German or Japanese roots), any affirmative action would be unjustifiable and even unnecessary, given "intense social mobility" (obviously, this is also a trivial version of the "myth of miscegenation", *mito da mestiçagem*, which will be discussed later).

Frequently Brazilian racial diversity is used to disguise social asymmetries, as in this *accumulatio* in the speech of Senator Demóstenes Torres:

Blacks, we have many poor; also brown, white, yellow, *cafuzos*, *mamelucos*, *caboclos*, *curibocas*, *catiretes*, *cafuçus*, *caiçaras*, indigenous, the *mulatas*; we have the poor, a great number of poor in Brazil.¹⁹ (SR 131)

¹⁷ "*Mestiço* com muito orgulho declaro não sentir a menor culpa pelo fato de minha bisavó maternal de pele mais clara ter, talvez, maltratado minha outra bisavó de pele mais escura – *talvez o inverso tivesse acontecido também*. Além disto, ninguém pode ser considerado culpado por supostos crimes cometidos por seus antepassados."

¹⁸ "O que dizer dos portugueses, espanhóis e italianos que, na segunda metade do século XIX, migraram para o Brasil e aqui *foram tratados com a mesma violência* dedicada a africanos e seus descendentes? Em sua grande maioria, apesar da intensa mobilidade social brasileira, mantiveram-se pobres, viviam em condições insalubres e em bairros povoados de 'pretos'. *Com eles conviveram, casaram e tiveram filhos*."

¹⁹ "Os negros, temos muitos pobres; os pardos, os brancos, os amarelos, os cafuzos, os mamelucos, os caboclos, os curibocas, os catiretes, os cafuços, os caiçaras, os índios, as mulatas; temos pobres, grande número de pobres no Brasil."

An absent-minded audience might be led to believe that giving privileges to just one out of these 13 distinct groups (with many specific and regional denominations, many of them historical or folkloric today), which apparently all share the social disadvantage, would be arbitrary and unfair. Thus, the overall effect of these examples is justification by relativizing differences and suggesting negative or positive sameness.

The general strategy of justification is obviously inherent in any relativizing criticism against the opponent. However, there are several expressions where strategies of self-legitimization are discernible, as for example through the invocation of an authority (*argumentum ad verecundiam*) in M1: "Our dream is that of Martin Luther King, who fought to live in a nation where people would not be valued based on the colour of their skin, but on the content of their character"²⁰. The appropriation of a historical personage with which one would not expect to share the same ideas, is also a clever *locus a minore*, suggesting a fictitious reading of "today, even Martin Luther King would be against quotas".

One step more is the shift of blame and responsibility through victim-perpetration inversion, as in Sidney Goldenzon's contribution to DP, entitled "They should apologize on their knees" (*Eles deveriam pedir desculpas, de joelhos*), in which he comments about the concentration of wealth: "this purchasing power is not a *crime* (not yet) and should not be punished"²¹ (DP 152), and creates a bizarre historical pseudo-analogy between affirmative action policies and the Jewish Holocaust, by adding "this movie has already been screened, and many of my family members were killed there"²² (DP 153). In both cases, coherent and irrefutable statements are associated arbitrarily with the case in point. Given the lack of commensurability, this is only possible in the form of the above mentioned catachresis (if not, the logical conclusion would be that racial quotas aim at criminalizing high income and systematically mass-murdering all whites in Brazil), which is what Jäger recognized as one of the most powerful means of discourse to suggest plausibility. An evenly hyperbolic victim-perpetrator inversion (actually, the rhetorical figure of *adynaton*) is articulated by Senator Demóstenes Torres from the petitioner party *Democratas*:

[I]f in Brazil somebody is a racist, he has to enter his room and *hide*, because *if not*, the Brazilian institutions, the Brazilian laws, the judiciary branch, the Public Prosecutor will *act harshly* to effectively punish this person.²³ (SR 127)

²⁰ "Nosso sonho é o de Martin Luther King, que lutou para viver numa nação onde as pessoas não seriam avaliadas pela cor de sua pele, mas pela força de seu caráter."

²¹ "este poder aquisitivo não é um *crime* (ainda não) e não deve ser punido".

²² "esse filme já passou, e muitos de minha família morreram nele".

²³ "[S]e alguém for racista no Brasil, tem de entrar em seu quarto e *ficar escondido*, porque, *senão*, a instituição brasileira, as leis brasileiras, o Poder Judiciário, o Ministério Público vão *agir duramente* para que essa pessoa seja efetivamente punida."

Without concealing his sympathy for racists, the politician suggests that the existing laws already act excessively against racial discrimination, forcing racists underground, which – given the frame of affirmative action – associates them with victimized groups; so far the implicit plausibility.

In addition to isolated utterances, a rhetorically standard repertoire which supports strategies of justification and relativization aim at "dismantling and destruction". Hence, one way to discredit an opponent is *procatalepsis*, the refutation of a supposed argument, which is presented as a paralogism, here in the words of Roberta Kaufmann:

So *when you say* for example that 90% of Blacks do not have access to sewage and that 90% of Whites do have access to sewage, *could it not be that* behind this statistical data lies an income factor?²⁴ (SR 85)

The impossibility to disagree with this rhetorical question deviates from the quite relevant fact that behind the condition of income one could identify other determining factors, such as race. Part of the strategy of dismantling is also inversion, this time not with regard to victim-perpetrator, but to the likelihood of a hypothetical scenario with perverse effects:

The exclusively racial quotas as applied, among others, at the University of Brasília (UnB) provided to a candidate defined as "black" the opportunity to be accepted with a lower score [in the entrance examinations] than a candidate defined as "white", *even in the case* when the former comes from a family with high income and has studied at excellent private colleges and the *latter coming from a family with low income and having studied at decrepid public schools*. In the end, the system grants a privilege to middle-class candidates who are arbitrarily classified as "black".²⁵ (M2)

The generalization of atypical cases, dismissing the reverse structural asymmetry, is strengthened by a special metaphor of *ponere ante oculos*, a constructed scenario which suggests through cogency the absurdity of the alleged case. The personalization of the victim (in the form of the common stereotype of the "poor, albeit intelligent and

²⁴ "Então, *quando você diz*, por exemplo, que 90% dos negros não têm acesso a esgoto e que 90% dos brancos têm acesso a esgoto, *será que* por trás desse dado estatístico não está uma condição de renda?"

²⁵ "As cotas raciais exclusivas, como aplicadas, entre outras, na Universidade de Brasília (UnB), proporcionam a um candidato definido como 'negro' a oportunidade de ingresso por menor número de pontos que um candidato definido como 'branco', *mesmo se* o primeiro provém de família de alta renda e cursou colégios particulares de excelência e *o segundo provém de família de baixa renda e cursou escolas públicas arruinadas*. No fim, o sistema concede um privilégio para candidatos de classe média arbitrariamente classificados como 'negros'."

industrious white person”) helps to arouse empathy (*argumentum ad misericordiam*). Delegitimation strategies are not limited to revealing hypothetical incompetence. They also attempt to undermine the moral credibility of the opponent. The anthropologist Yvonne Maggie asserts this forcefully:

[...] it has become clear that the movement in favour of racial quotas *is not interested in promoting social justice* and much less in *diminishing the inequalities*. Their objective is to produce well delimited racial identities that urge Brazilians to opt for the same system as in countries that have embraced racial laws like the US, Rwanda and South Africa. And those who think that racial laws will be temporary, make no mistake. They will be here to stay and they will spread, *like weeds*, to all institutions, to the brains and hearts of the Brazilians, who will be transformed into diverse citizens and legally defined through the colour of their skin.²⁶ (SR 169–170)

The metaphor of nature evokes the collective symbol of enemies of the nation and their subversive ideas acting as parasites (similar to a biblical plague or a cancer affecting the body of the nation), which has been widely used in authoritarian regimes in the past (I will return to the analogy with Rwanda later).

The third most frequently used strategies in the corpus belong to the group of “Construction” of one’s own interest group and standpoint, which includes dissimulation and exclusion strategies in the sense of “othering”. This strategy also invites proposing an alternative to racial quotas, although the alternative project is marked by programmatic vagueness. Nevertheless, a strong strategy of transformation can be noted throughout the corpus, as for example in this segment:

The invention of official races is bound to *sow* this dangerous type of racism, as historical and contemporary examples show. And what is more, to *block* the way to the *real solution of the problems* of inequalities.²⁷ (M1)

The negative expectations about the paradoxical results of the competing policy model (in my paraphrases, after deconstructing the rhetorical means: “race-based affirmative

²⁶ “[...] fica evidente que o movimento pró-cotas raciais *não está interessado em promover a justice social* e muito menos *em diminuir as desigualdades*. Seu objetivo é produzir identidades raciais bem delimitadas fazendo os brasileiros optarem pelo mesmo sistema dos países que adotaram leis raciais como os EUA, Ruanda e a África do Sul. E não se iludam os que pensam que as leis raciais serão temporárias. Elas virão para ficar e irão se espalhar, *como erva daninha*, em todas as instituições, na mente e no coração dos brasileiros transformados em cidadãos diversos e legalmente definidos pela cor de sua pele.”

²⁷ “A invenção de raças oficiais tem tudo para *semear* esse perigoso tipo de racismo, como demonstram exemplos históricos e contemporâneos. E ainda *bloquear* o caminho para a *resolução real dos problemas* de desigualdades.”

action policies intend to eliminate racism but will end up incentivizing it; they intend to eliminate inequality, but will end up increasing it") are the least interesting parts of this quote. What attracts attention is the *locus a tempore*, which signals that there is still time to contain the risk before the "seeds" (an Old Testament metaphor) grow; because once racial quotas are established, the alternative problem solving strategy (whatever this may be) will be blocked. The absence of any idea beyond doing business as usual is frequently compensated by the use of two classical figures of speech, an *argumentum ad populum* (common knowledge about the truth) which works as an *argumentum ad baculum* (the inescapability of the proposed measure), as in the following example:

The *widely recognized truth* is that the main path towards the combating of social exclusion is the construction of universal quality public services in the areas of education, health and social security, especially creating employment. These goals *can only be achieved* by the joint effort of *citizens with all skin shades* against odious privileges which limit the outreach of the Republican principle of political and juridical equality.²⁸ (M1)

After deconstructing the rhetorical means, we could paraphrase these last two quotes as the message of "we do not know what to do that is different from the past, but people know that we are right and that it must be done now". In a unification and cohesion-building strategy, all citizens (minus the proponents of quotas, who are subtly excluded from this unity) are prompted to defy affirmative action policies. A *topos* of consequence (as normative-deontic imperative) suggests that it is sufficient to finally realize the modest task of ending social exclusion through high quality public education and other measures that have failed during the last centuries. Probably concerned about this inconsistency, the Promised Land is presented as a traditional *locus amoenus*:

What kind of Brazil do we want? We long for a Brazil where *no one* is discriminated against, in a positive or negative way, because of colour, sex, intimate life and religion; where *all* have access to *all* public services; with *diversity* enhanced as a vivid and integral process on the way of all humanity towards a future where the word happiness is no more a dream.²⁹ (M1)

²⁸ "A verdade *amplamente reconhecida* é que o principal caminho para o combate à exclusão social é a construção de serviços públicos universais de qualidade nos setores de educação, saúde e previdência, em especial a criação de empregos. Essas metas *só poderão ser alcançadas* pelo esforço comum de *cidadãos de todos os tons de pele* contra privilégios odiosos que limitam o alcance do princípio republicano da igualdade política e jurídica."

²⁹ "Qual Brasil queremos? Almejamos um Brasil no qual *ninguém* seja discriminado, de forma positiva ou negativa, pela sua cor, seu sexo, sua vida íntima e sua religião; onde *todos* tenham acesso a *todos* os serviços

Again more interesting than the hyperboles and miranda only to be expected from this kind of statement, is the combination of Republican sameness with the concept of “diversity”. Although no contradiction exists in principle, what is suggested in this context is the (supposedly) achievable or formally already existent equality of opportunities, but which does not necessarily imply equality of position, hence the mention of diversity. This becomes clear in the following sentence: “In short that all people should be valued for what they are and able to do”³⁰ (M1). Curiously, the rhetorical strategy of the counter-proposal to racial quotas ends up being not transformation but perpetuation and conservation (in the sense of “even without higher education, a Negro has his value”). What should be preserved is “a *Brazilian tradition* not to support racial policies and laws that fulfill exactly 120 years since the abolition of slavery”³¹ (M2). This tradition has previously been depicted as Constitutional “principle of political and juridical equality of citizen”³² (M1) and seen as “*threatened by extinction* by means of various devices of the bills of the quota law (PL 73/1999) and the Statute of Racial Equality (PL 3.198/2000)”³³ (M1). Again, the evidence for this presumed causality is replaced by a metaphor, once more based on a disaster *topos* borrowed from collective symbolism in the field of nature and by the suggestion that there would be “no way back”.

As seemingly no other vision is available, preservation must work through recycling the status quo, by highlighting Brazil’s uniqueness in dealing with racial relations (singularization strategy). Without going into detail about the national particularities claimed in the statement above, singularity is pointed out by comparison with a world outside Brazil, such as in the words of Eunice Durham, one more a retired anthropologist:

The origin of the idea of establishing a system of ethnic quotas for entrance into universities as a way to combat discrimination is in the United States. Actually, quotas made some sense in *this country with its long tradition of white universities which did not admit Blacks [...]*.³⁴ (SR 183)

públicos; que se valorize a *diversidade* como um processo vivaz e integrante do caminho de toda a humanidade para um futuro onde a palavra felicidade não seja um sonho.”

³⁰ “Enfim, que todos sejam valorizados pelo que são e pelo que conseguem fazer.”

³¹ “uma *tradição brasileira*, que cumpre exatos 120 anos desde a Abolição da escravidão, de não dar amparo a leis e políticas raciais”.

³² “princípio da igualdade política e jurídica dos cidadãos”.

³³ “*ameaçado de extinção* por diversos dispositivos dos projetos de lei de Cotas (PL 73/1999) e do Estatuto da Igualdade Racial (PL 3.198/2000)”.

³⁴ “A idéia do estabelecimento de um sistema de quotas étnicas para o ingresso nas universidades como forma de combate à discriminação originou-se nos Estados Unidos. Quotas, de fato, faziam um certo sentido *naquele país, com sua longa tradição de universidades brancas*, que não admitiam negros [...]”.

Avoiding addressing the situation in Brazil, the parallelism insinuates incompatibility between the two countries. However, the reference country is the United States, a hegemonic power with a long and (through postcolonial eyes) complicated relationship with Brazil. Thus, the preservation of Brazilian uniqueness vis a vis this kind of influence resembles an autonomisation strategy (which is why the examined discourses almost never refer to the longstanding and sophisticated ethnic quota systems in India or China). The importance of this point is stressed by the fact that the argument was already introduced in 1996, in then President Fernando Henrique Cardoso's speech during the seminar "Multiculturalism and Racism" (*Multiculturalismo e racismo*), organized by Brazil's Federal Government, where he imagined on one hand "mechanisms and processes which could lead to a transformation in the sense of a more democratic relation between races, social groups and classes"³⁵, but on the other warned that "we should not exaggerate this self-criticism" and "we should not just *imitate*"³⁶ (Cardoso 1996: 14–16). Hence, the autonomisation strategy turns out to be a heteronomizing defense strategy.

The heteronomization of racial quotas as "foreign ideas" is usually accompanied by two other dissimulation strategies. One is to present an antithesis to Brazil, such as in the following segment from Roberta Kaufman as the external threat of *locus terribilis*, especially with regard to Rwanda, which is here (and elsewhere in the corpus) used as a metonym for genocide:

It is important to mark that these segregation policies based on skin colour were implemented in comparative law, as for example in the United States, *Rwanda* and South Africa, with disastrous results.³⁷ (SR: 79)

The other dissimulation strategy is to nationalize the threat by creating "an enemy within" – like in the "Red Scare" promotion –, as Yvonne Maggie has explained,

[...] a little group of NGOs, barricaded in the government, who wish to impose policies on Brazil which have been tried out in other parts of the world and which caused more pain than relief.³⁸ (SR: 168)

³⁵ "mecanismos e processos que possam levar a uma transformação, no sentido de uma relação mais democrática, entre as raças, entre os grupos sociais e entre as classes".

³⁶ "não devamos, entretanto, exagerar nessa auto-crítica"; "não devemos simplesmente *imitar*".

³⁷ "É importante caracterizar que essas políticas de segregação com base em cor da pele foram políticas implementadas no Direito comparado, como, por exemplo, nos Estados Unidos, *em Ruanda* e na África do Sul, com resultados desastrosos."

³⁸ "[...] um pequeno grupo de organizações não governamentais encastelado no poder, querendo impor ao Brasil políticas já experimentadas em outras partes do mundo e que trouxeram mais dor do que alívio."

Their presence is seen as especially dangerous, because their appearance is national, they are small in number, behave conspiratorially and above all, their preferred method of subversion is brain-washing through manipulated public institutions. At least this is what the editors of DP fear:

In our country, the racist enterprise is an attempt to “reeducate” society. [...] The “reeducators” want to foist fixed racial identities on the people and as they were incapable of convincing them to give up the floating perceptions which inhabit the national imaginary, they try to use State power to “rectify” society.³⁹ (DP 21–22)

Not everybody goes so far as the historian José Roberto Pinto de Góes, who is also a sought-after expert on race issues on Globo TV. He imputes to the proponents of racial quotas that they are carrying out an act of vengeance: “This is what happens when you allow racist groups to control the Brazilian State. Now will start the pedagogy of revenge, of pain and fear”.⁴⁰ (DP 199) This statement is curious, less because of the telling *locus a nominis interpretatione* “racist groups”, but because it reveals a doubtful democratic attitude (elections as a permission by “us” to “them” to govern) and even a Freudian slip: if somebody is expected to take revenge, there must have been an earlier act of aggression or a similar motive. One could wonder if this rhetoric of revenge has anything to do with historically evolved racial and social discrimination in Brazil. However, it is also recognized that “they” (like communists or other do-gooders) may initially have had good intentions. The problem, as Roberta Kaufmann infers in the following quote, is the projection of problems from one to another reality and the import and forced application of inadequate solutions:

We should not ignore here the tragic case of Rwanda. Why? Because every public policy of affirmative action and quotas *begins with the best intentions*. And this is what occurred in Rwanda in the 1930s, building upon the *mentality of the Belgian colonizer* who being full of ethnical problems and divisions *imported to Rwanda* – all black, all belonging to one single nation, all from the same culture, one people and one sense of national identity – the artificial and legal division of ethnicities as well as the division of rights based on negligible criteria like the facial structure, nose shape, and degree of hair thickness. These are the criteria for you to divide into groups. The consequence sixty years

³⁹ “No nosso país, o empreendimento racista é uma tentativa de “reeducação” da sociedade. [...] Os “reeducadores” querem impingir identidades raciais fixas às pessoas e, incapazes de convencê-las a abdicar das percepções fluidas que habitam o imaginário nacional, tentam *usar o poder do Estado* para ‘retificar’ a sociedade.”

⁴⁰ “É o que dá *permitir* que grupos racistas controlem o Estado brasileiro. Agora, vai começar a pedagogia da *revanche*, da dor e do medo.”

after was the civil war in Rwanda. Do we really want this to happen in Brazil?⁴¹ (SR 85–86)

In her allegory, the colonizer Belgium stands for the United States, the “nation” Rwanda for Brazil, presented as a homogenous monolith (“one race, one nation, one culture, one people, one nationhood”), now challenged by those who are envious from failed multinational states who project their neurosis on Brazil. This argument, apparently inspired in a rudimentary reception of postcolonial theory, serves again as a Cassandra-strategy that leaves only one answer to the concluding rhetorical question: Brazil needs to be protected against these alien neocolonizers in order to continue being “Brazil”.

Discursive entanglements with the Brazilian master-narrative

My last point in the analysis is the entanglement of the discourse against racial quotas with a hegemonic construction of Brazilian collective identity. In the preamble to *Divisões Perigosas* (written by Bila Sorj, José Carlos Miranda and Yvonne Maggie), the president of the Chamber of Deputies, Aldo Rebelo (from the Communist Party of Brazil, PCdoB) is quoted with the words “We have to look for more Brazilian solutions”⁴² (Fry et al. 2007: 16). Many of the cited voices seem to envision those “Brazilian solutions”. But what could be understood and accepted as a Brazilian solution? What I will show in the following is that these arguments draw not only on the myth of “Racial Democracy”, the ideology of “Miscegenation” or other culturalist constructions like “Enchanted modernity” and “Brazilian cordiality”, which have been studied at large, especially but not exclusively with regard to the reception of Gilberto Freyre’s work (Guimarães 2001, Cruz 2002, Paixão 2014, among others). Especially the most prominent concept of “Racial Democracy” is indeed more than just a myth or an ideal: it has turned out to be above all a powerful tool to impede the organization and political manifestation of anti-racist movements in order to maintain systems and patterns of white domination and supremacy (Guimarães 2001: 156).

These cited voices also seem to have internalized a long-standing national master-narrative of Brazilian exceptionalism (in which these constructions play an important role). What I call the “Brazilian national master-narrative” is a hegemonic

⁴¹ “Não podemos, aqui, ignorar o caso trágico de Ruanda. Por quê? Porque toda a política pública de ação afirmativa e de cotas *se inicia com a melhor das intenções*. E foi isso que aconteceu em Ruanda, na década de 30, a partir da *mentalidade do colonizador* belga que, cheio de problemas étnicos e de divisões étnicas, *importou para Ruanda* – todos negros, todos pertencentes a uma mesma nação, a uma mesma cultura, a um só povo e a um só sentimento nacional – a divisão artificial e legal das etnias e da divisão de direitos com base em critérios ínfimos como: *format do rosto, format do nariz e grau de espessura do cabelo*. Esses são os critérios para você fazer a divisão entre grupos. As consequências, sessenta anos depois, foi a Guerra civil em Ruanda. É isso que nós queremos para o Brasil?”

⁴² “Temos de buscar soluções mais brasileiras.”

and pedagogical endowment of the "nation" in the conception of Bhabha (1990), where people are the object of nationalism, not the subjects who perform the nation. It is the official version of the nation, what Carlos Fico (1997) called the "patriotic tendency" (*tendência ufanista*), in opposition to the "defeatist tendency" (*tendência derrotista*). Even though it originates in a somehow alienated (white) elite discourse, the elements became – by trickling down – part of the repertoire of a Gramscian "common sense", periodically demonstrated by surveys about the features of national identity among the Brazilian population. In previous research (Wink 2009), I identified the core *topoi* of this narrative and traced them back to the earliest writings about "Brazil" in the 16th century. These *topoi* imagined Brazil as the New World, as a Terrestrial Paradise, as an island, and as the Fifth Empire and/or the Land of the Future.

In brief, only for the purpose of this paper, these *topoi* convey the following meaning. In sources of the first half of the 16th century, which delineate Brazil, there is synonymous use of the terms "New World", "America" and "Brazil" (Obermeier 2000). At no moment was Brazil perceived as being part of Asia or indeed "Westindia", as was the case with the Spanish possessions. Rather, Brazil was always viewed as a completely new continent, a "Mundus Novus" (the title of Amerigo Vespucci's bestseller). This was due to the nautical circumstances of the European explorations of the Americas. Most maps from this period make explicit use of this synonymy, such as Sebastian Münster's world map (1554), where Brazil is labeled as "Novus Orbis", "Insula Atlantica quam vocant Brasili & Americam" and "Die Nüw Welt". The expansion of the terms "New World" and "America" to the whole continent only occurred from the 1570s onwards, as in Pêro de Magalhães de Gândavo's *História da provincial de Santa Cruz, a que vulgarmente chamamos de Brasil* from 1576.

With regard to the Terrestrial Paradise, Pero Vaz de Caminha, secretary to Pedro Álvares Cabral, in his letter from 1500, described Brazil as a paradise island in the Atlantic, an association influenced by a long tradition of imagining paradise islands in the Atlantic, such as Hesiod's "Insulae Fortunatae", Aristotle's "Antilia", Plutarch's "Elysium" and of course Plato's "Atlantis". How this original idea became part of the image of Brasil as a remnant "Golden Age" during the 16th and 17th century, is thoroughly described in Sérgio Buarque de Holanda's masterwork *Visão do paraíso* (1959). This element survived in the "Edenic discourse" about Brazil, prioritizing the opulence of nature, as examined, for example, by Chauí (2000) and Carvalho (1998). The idea of Brazil as an island is evidently related to the paradise *topos*. Throughout the centuries, the Portuguese (and later on the Brazilian) authorities followed a rhetorical strategy of defining Brazil as an island, surrounded by the Atlantic sea and two giant rivers, for obvious reasons as a means of defending the area of colonial control against Spain. However, the geographical lapse became a powerful symbol of Brazil's "insularity" (Muranyi 2013), also a recurrent metaphor in the "Doctrine of National Security" during the dictatorship, where Brazil was promoted as a peaceful island, between two antagonist ideological hemispheres.

The Fifth Empire or country of the future is the most interesting element. It refers to the idea of the foundation of an Empire (or better: *the* Empire) in the West of Europe, or as some Portuguese sources argued, precisely in Brazil. The reason is that very early on, it became clear to the Portuguese commercial elite that Brazil offered the best conditions for a *translatio imperii*, the relocation of the Court, as actually occurred in 1808. But this idea is not only supported for economic and geopolitical reasons. The Lusitanian Messianic tradition, since the miracle of Ourique in 1139, tends to envision Portugal's destiny in terms of the mission to host the Fifth Empire, actually the last one, where Christ's return to earth should be celebrated ("Adveniat Regnum tuum" or "Your kingdom come" as Christians pray in the Lord's Prayer). This may appear odd and a bit apocalyptic, but this argument states in canonic writings, such as Padre Anchietas epic *De gestis Mendi Saa* (1563) and especially António Vieira's two-volume *História do Futuro ou Do Quinto Império do Mundo e as Esperanças de Portugal* (written in the 1660s), where through meticulous Bible exegesis (namely the prophets Daniel and Isaiah in the Old Testament), he attempts to prove that the last Empire of humankind will be located in Brazil.

New, better, different, and emergent: These are the powerful discourses of positive self-presentation, singularization and continuation, and they have been reaffirmed, shaped and enriched for more than 500 years. It is of course true that these or similar narratives are part of other national discourses, but the case of Brazil boasts a very special combination of powerful elements – the beginning and end of mankind, from the Golden Age to God's Kingdom on earth.

What have these references to do with the debate about racial quotas in higher education? From my analysis of the corpus, I can conclude that these common *topoi* have an impact on the attitudes towards affirmative action because they are activated together with the claims for Brazil being "different" (building a new society); "autonomous" (not imitating others by doing so); and "chosen" to fulfill a mission (to overcome racism). To give one example, if there were no commonly known promise of Brazil becoming the Land of the Future (as in a country where this narrative is absent or weakly developed), it would probably be more difficult to explain and justify the delay of improvements with regard to social and racial inequality. After all, the idea of miscegenation is now more than 170 years old (if we take Philipp von Martius as the pioneer in 1843), and the idea of "racial democracy" (or however called) more than 70 years old. One could even say that the postponing of social inclusion of Afro-Brazilians because of fear of the white elites to lose their privileges (in the 19th century called "haitianism") is as old as the Independence of Brazil. The risk of abolition was used as a strategic argument by Prince Pedro (who later became the first Emperor of Brazil) in his manifesto of the "Independence of Brazil", where he included a notoriously neglected sentence about the Portuguese constitutional assembly:

"Indeed, who has the courage to say it, they menace you to free the slaves and arm their hands against their own masters"⁴³ (Manifesto 1822).

When, in 1970, the United Nations Committee for the Elimination of Racism (CERD) requested from Brazil information about racial discrimination, the answer, signed by Foreign Minister Mário Gibson Barbosa was short and simple:

I have the honor to inform you that since racial discrimination does not exist in Brazil, there is no need to take sporadic measures of a legislative, judicial or administrative nature to assure the equality of races in Brazil. (Apud Telles 2004: 41, translated in the original)

Two years later, solicited again on this issue and pressured to provide empirical data, he informs tersely (and correctly): "It is impossible to provide statistical data since the last census did not ask for indications of race" (ibid.). Notwithstanding, he also adds that "miscegenation is rapidly increasing". This seems to be one possible solution to the dilemma of the delay of the promised future: denying a phenomenon, based on the alleged lack of evidence, together with not collecting the data (or ignoring the data), that could provide the needed evidence. Another statement, from the same moment in history, addresses the dilemma instead of hiding it:

How will we react when - for example - blacks overcome the social and economic difficulties which segregate them, and when the university students among them are no longer just 448 out of 5,600,000 individuals? Today, blacks do not bother, but what will happen when they - or just an expressive minority of them - achieve economic power to acquire membership in private clubs or to enforce entrance to the more expensive private schools or their admission into important offices or positions, or live in first-class neighborhoods? Will we be mature enough to accept them as brothers in everything, or will we begin to have racial conflicts?⁴⁴ (Freitas 1968: 7)

The quote is taken from the introduction to the book *Brasil ano 2000: O futuro sem fantasia*, edited by José Itamar de Freitas (the editor himself contributes with the chapter "Crise racial no Brasil - ano 2000") and published by the Editing House of the

⁴³ "Até (quem ousará em dizê-lo!) vos ameaça com libertar a escravidão e armar seus braços contra seus próprios senhores"

⁴⁴ "Como reagiremos - por exemplo - quando os negros vencerem as dificuldades sociais e econômicas que os segregam, deixarem de ser apenas 448 universitários em 5.600.000 indivíduos? Hoje, os negros não incomodam, mas o que acontecerá quando eles tiverem - ainda que uma minoria expressiva deles - poder econômico para comprar títulos de clubes fechados, ou forçar sua entrada nos colégios mais caros, ou forçar sua admissão nos escritórios ou postos importantes, ou morar nas zonas residenciais de 'primeira classe'? Estaremos maduros, bastante para aceitá-los como irmãos em tudo, ou vamos partir para conflitos raciais?"

Brazilian Army. However, he provides no answer to his (rhetorical) questions. These are given in a last example, which I owe to Guimarães (1999: 144–45, translated in the original); an Open Letter written by Raquel de Queiroz, published on the 11th of November 1968 in the *Diário de Notícias*, and directed to the Minister of Labor Jarbas Passarinho, in response to the discussion about affirmative action in labor market:

What we must not do is seal a pact with the crime of discrimination, quarrel over discrimination, or acknowledge its existence. [...] It is preferable that we continue coexisting with covert and illegal discrimination, however widespread it may be, than to allow the government to acknowledge it officially – since any regulation would imply a recognition of discrimination. [...] How can we distinguish who is and who is not black among us? A rigid color line exists in the United States and South Africa, and anyone who is not 100 percent white is considered black. In Brazil, the tendency is to consider every person who is not visibly colored to be white. The great majority of our population consists of people of mixed blood. Brazil is a nation of mestizos. What about all these people? How would they be categorized?

The incoherence articulated in 1968 is the same today: How can it be that there are officially no whites, but every person “not visibly colored” is considered white? Is this an implicit categorizing or not? And in the end, are there whites and blacks or not? There are no substantial differences in comparison to the statements analyzed in my corpus. This makes all these three historical fragments extremely topical. The rhetorical question raised in 1968 could be asked today, running the risk of getting a negative answer. But the proposed solution, the deferring of any measures until “society is ready” (which in his perception means the accomplished “civilizing” of Afro-Brazilians), as well as the avoidance strategies when questioned about this delay, the claim of a “conciliation” in the name of preserving social peace and alleging a Brazilian exceptionalism, all these strategies should have lost any legitimacy after half a century without any significant change. Apparently, however, they have not – as has been shown, due to the rhetorical power of discourse which hides this incoherence.

Conclusion

The synchronic analysis of the discourse strand of prominent public arguments against racial quotas in Brazilian higher education has shown that their persuasive power stems above all from a well-considered and systematic use of specific rhetorical strategies and devices based on time-proven classical speech figures, which suggest evidence and logic where speculation and heuristic actually rule. Furthermore,

through a diachronic analysis, it has become clear that these arguments are not only entangled in the myth of "racial democracy" or the ideology of miscegenation (both with the effect of actually veiling existing racial disparities and thwarting Afro-Brazilian mobilization against systemic racism), but also with a long-standing national master-narrative of Brazilian exceptionalism, which helps suppress any conflict and even encouraged depoliticization – for the benefit of white supremacy. Together, this can explain why these arguments persist, and why they exercise power and can be considered a "truth" in the sense of Foucault.

The analysis of discourse fragments has shown that most of the present arguments against racial quotas in higher education are in their discursive dimension not exactly responding to the question of whether or not these measures could reduce social and racial discrimination (which for many opponents apparently *is* something to be achieved by society). Rather, they reproduce common *topoi* and express a broad variety of attitudes and beliefs, which cross discursive planes, ideological positions, and are sometimes not at all related to the topic of racial quotas. Among them we detected such *topoi* as "national pride", "Antiamericanism", "overvalorization of elements of Brazilian cultural theory", "class snobbery", "meritocratic thinking", "Republican ideals", "Anticommunism", "fear of change" and if nothing else, assertiveness and insistence on being right.

By referring to the national master narrative, many of the rhetorical strategies and devices used against quotas depict them as a kind of antithesis to the ideal projection of Brazilian society. This turns the quota issue into a conflict between "Brazilians" and "Anti-Brazilians". This explains why there is little chance of an objective debate, and why simply refuting the arguments as such has not put an end to the dispute. Tragically, the obsession with a "Brazilian solution", as indicated in the title of my paper, seems to be more a question of being seduced by the rhetorics of a pivotal, but for the Brazilian social context inappropriate and outdated theory, than a rationale. This does not mean that the ideal of "Brazil", and especially the idea of a Brazil with fundamentally different race relations, had not fulfilled at a certain point in history also an important cultural mission as a positive collective identity and a value as such to be pursued. One could speculate whether today, in other world regions, a similar narrative is not urgently needed. But the reality in Brazil today is that there remains widespread social and racial inequality. At the same time, there have been limited attempts to finally tackle these inequalities in at least some areas (among them higher education) by means of affirmative action policies. In this context, the persistent campaigns to insist on historical, once emancipatory discourses of "Brazilian solutions" with the objective to discredit these policies (alongside the openly racist, patriarchal and elitist rhetoric) will also undermine any other possible solution for the pursuit of social and racial equality in Brazil.

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